

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

§
ROCKSTAR CONSORTIUM US LP and §
MOBILESTAR TECHNOLOGIES, LLC, §
§
Plaintiffs, §
v. §
§
ASUSTEK COMPUTER, INC. and ASUS §
COMPUTER INTERNATIONAL, INC., §
§
Defendants. §

ORDER

Before the Court is the Motion to Dismiss (Dkt. No. 15) filed by Defendants ASUSTek Computer, Inc. and ASUS Computer International (collectively, “ASUS”), filed February 13, 2014.

ASUS’s motion duplicates arguments regarding one plaintiff’s standing and the patentability of one of the patents-in-suit in this case. Identical arguments have already been rejected by this Court (Dkt. No. 106). The other bases of this motion, relating to allegations of willfulness and a clerical error in Plaintiffs’ original complaint, have been resolved and mooted by Plaintiffs’ First Amended Complaint (Dkt. No. 22).

Accordingly, Defendants’ motion (Dkt. No. 15) should be and hereby is **DENIED**.

So Ordered and Signed on this

Jul 25, 2014


RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE